

Entered -06/27/00 - dp
CL 97L0055 - DOBBS JORDAN

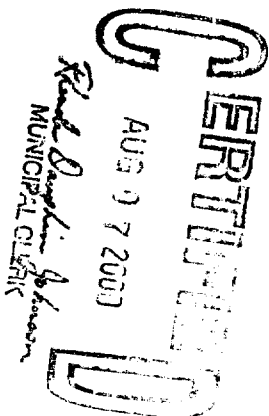
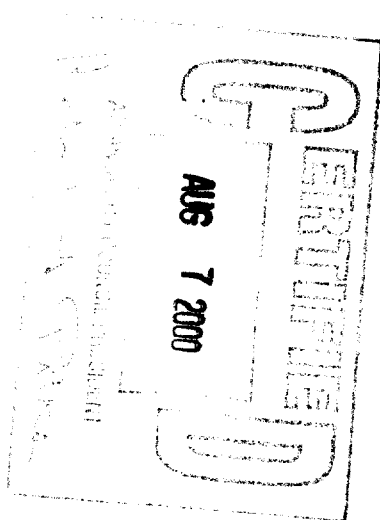
CLAIM OF: Charles A. Mason
2503 Fern Leaf Court NW
Atlanta, GA 30318

For damages alleged to have been sustained as a
result of damage to yard on January 8, 1997

THIS ADVERSED REPORT IS **CONSENT AGENDA**
APPROVED

BY: *Rosalind Rubens Newell*
ROSALIND RUBENS NEWELL
DEPUTY CITY ATTORNEY

00- *2*-1174



ADVERSED BY
CITY COUNCIL AUG 07 2000

cc: Tullie Sadler
8/1/2000
E. T. Malin
Dep. City Attorney
25081
Doug Hall

August 28, 2000

Charales A. Mason
2503 Fern Leaf Court, NW
Atlanta, GA 30318

00-R-1174

Dear Mr. Mason:

I sincerely regret that you have been adversely affected by the circumstances raised in your claim for damages against the City of Atlanta. Your time and patience in this matter has been greatly appreciated.

However, I must notify you that the Atlanta City Council Adopted an Adverse Report on your claim at its regular meeting on August 07, 2000. In consultation with the City's Law Department, who conducted an investigation of the situation, the Council has determined that the City cannot accept responsibility for this matter and therefore cannot pay this claim.

If you desire any further information, please contact the **City Attorney's Office/Claims Division at (404) 330-6400**.

Sincerely,

Rhonda Dauphin Johnson, CMC
Municipal Clerk

cc: Claims Division/Law Department

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 97L0055

Date: 6/27/00

Claimant /Victim CHARLES A. MASON
BY: (Atty) (Ins. Co.) _____
Address: 2503 Fern Leaf Court NW, Atlanta, Georgia 30318
Subrogation: _____ Claim for Property damage \$ _____ Bodily Injury \$ _____
Date of Notice: 1-24-97 Method: Written, proper X Improper _____
Conforms to Notice: O.C.G.A. §36-33-5 _____ Ante Litem (6 Mo.) _____
Date of Occurrence 1-8-97 Place: 2503 Fernleaf Court
Department Public Works Division: Solid Waste Services
Employee involved _____ Disciplinary Action: _____

NATURE OF CLAIM: Claimant alleges he sustained property damage when a city vehicle, during the course of a trash pick-up, damaged his yard. An investigation determined that city workers subsequently planted grass seed to repair the damage that was done to claimant's property. The claimant has abandoned his claim.

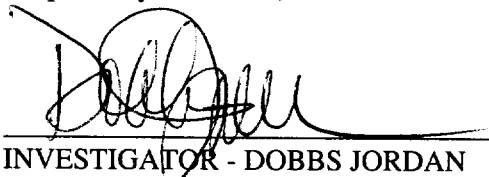
INVESTIGATION:

Statements: City employee _____ Claimant _____ Others _____ Written _____ Oral _____
Pictures _____ Diagrams _____ Reports: Police _____ Dept Report _____ Other X
Traffic citations issued: City Driver _____ Claimant Driver _____
Citation disposition: City Driver _____ Claimant Driver _____

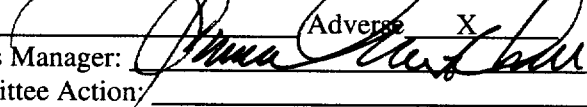
BASIS OF RECOMMENDATION:

Function: Governmental X Ministerial _____
Improper Notice _____ More than Six Months _____ Other _____ Damages reasonable _____
City not involved _____ Offer rejected _____ Compromise settlement _____
Repair/replacement by Ins. Co. X Repair/replacement by City Forces _____
Claimant Negligent _____ City Negligent _____ Joint _____ Claim Abandoned X

Respectfully submitted,


INVESTIGATOR - DOBBS JORDAN

RECOMMENDATION:

Pay \$ _____ Adverse X Account charged: 1A01 _____ 2J01 _____ 2H01 _____
Claims Manager:  Concur/date 07-11-00
Committee Action: _____ Council Action _____

ENTERED - 2/10/97 tew
97L0055 - ANTHONY G. OATIS

COUNCIL OF THE CITY OF ATLANTA
CLERK OF COUNCIL
City Hall
68 Mitchell Street, S.W.
Atlanta, GA 30335

RE: CLAIM FOR DAMAGES

TODAY'S DATE: 1-8-97

Dear Sir:

This is to notify the City of Atlanta that I have suffered damages in the sum of \$ 150.00 property and/or \$ 0 bodily injury for which I contend the City is liable.

1. Date of incident: 1-8-97 (month day year) 2. Police called (yes) X (No)
3. Location of incident: 2503 FERNLEAF CT. N.W. ATLANTA GA 30318
4. Name of your insurance company ALLSTATE Policy # 085522178 0/0
5. State what and how incident occurred: IN TRYING TO TURN AROUND DRIVER BACKED GARBAGE TRUCK ACROSS YARD INSTEAD OF USING GRAVEL TURN AROUND HE GOT STUCK AND SPINING TIRES TORN UP BACK YARD.
6. ALL ESTIMATES AND DAMAGES ARE SUBJECT TO INSPECTION. (use other side if necessary) FALSE STATEMENTS WILL RESULT IN YOUR CLAIM BEING DENIED AND MAY RESULT IN CRIMINAL PROSECUTION!

7. The registered owner must make the claim for vehicle damages. Complete the following and attached two (2) estimates of repair.

Your vehicle (make) _____ (year) _____ (tag#) _____ (driver's name) _____
City vehicle: (make) _____ (driver's name) _____ (department) _____

8. Witness: (name) _____ (address) _____ (phone) _____

9. The acknowledgment of this claim in no way waives the Governmental Immunity of the City of Atlanta, as granted by State Law, nor is it an admission of liability on behalf of the City of Atlanta and/or its employee(s).

I HEREBY SWEAR OR AFFIRM THAT THE ABOVE INFORMATION IS TRUE AND CORRECT!

10. THIS CLAIM SHOULD BE MAILED IMMEDIATELY TO THE ADDRESS SHOWN ABOVE

CHARLES A MAYSON (SEAL)
(claimant)
2503 FERNLEAF CT N.W.
(address)
ATLANTA GA 30318
(city) (state) (zip)
3511991
(home) (phone) (work)